

Once the Permit Is Issued

Once a permit is issued, the owner/operator is expected to comply with a number of conditions, including the submittal of a revised Manure Management Plan. The permit will contain the requirements for proper runoff control to ensure pollutants are not discharged into navigable waters and to ensure compliance with surface water and groundwater quality standards. If the operator chooses to construct manure storage facilities, their design and management are also regulated. USDA NRCS technical standards are normally used to determine if runoff control systems and manure storage facilities are properly designed. Among other things, the operator will submit a monitoring and inspection program, as well as annual reports summarizing manure landspreading.

Permit Modifications and Renewal

If there is a change in management or if there are plans to upgrade or expand, the DNR must be notified, and a modification to the permit may be necessary. New construction at a CAFO site, whether it's work required as a part of the permit or done as part of the operation's own plans, must be approved by the DNR prior to beginning the work.

WPDES permits must be renewed every 5 years. An application to renew the permit must be submitted to the DNR by the owner or operator 6 months before the permit expires.

Technical assistance may be available from county land conservation departments, the University of Wisconsin-Extension, the Wisconsin Department of Agriculture, Trade, and Consumer Protection (DATCP), or the NRCS, but no cost sharing is available for permit requirements under state and federal rules.

For Smaller Operations

Operations with fewer than 1,000 AUs that have caused or are causing water quality problems are also regulated under NR 243. The farmer would receive a **Notice of Discharge (NOD)**, requiring corrective actions to stop discharge of manure to lakes, streams, wetlands, and groundwater. If the problems continue, the operator will be required to apply for a WPDES permit. More information about NODs can be obtained by contacting the DNR.

Clean Water for All....

The CAFO regulations were adopted to address the handling, storage, and utilization of manure to protect Wisconsin's water quality. WPDES permits are the tool to ensure that all CAFOs manage their manure in an environmentally acceptable manner. The best-managed operations have been doing that long before it became state law. The NR 243 program, in conjunction with WPDES permits, is designed to ensure that all in the agricultural community act responsibly in managing their operations.

The Wisconsin Department of Natural Resources provides equal opportunity in its employment programs, services, and functions under an Affirmative Action Plan. If you have any questions, please write to Equal Opportunity Office, Department of the Interior, Washington, D.C., 20240.

This publication is available in alternative format (large print, Braille, audio tape, etc.) upon request. Please call (608)267-2768 for more information.

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Permits for Concentrated Animal Feeding Operations (CAFOs): What You Need to Know



Wisconsin Department of Natural Resources
Runoff Management Section
Agricultural Runoff Program
Telephone 608.266-9993

URL: <http://www.dnr.state.wi.us/org/water/wm/nps/animal.htm>



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Wisconsinites who work the land understand the value of the state's natural resources. Anyone who has raised crops or brought livestock to market also understands that animal manure is more than just a "waste." It's a valuable resource that can contribute to an agricultural operation's success. But when manure isn't properly managed, our lakes, streams, rivers, and even groundwater can be polluted. This can endanger the health and safety of both humans and livestock and ultimately impact an operation's financial health.

Wisconsin's regulations for storing and using manure are found in Chapter NR 243 of the Wisconsin Administrative Code. The rule, administered by the Wisconsin Department of Natural Resources (DNR), creates the criteria and standards to be used in issuing permits to **Concentrated Animal Feeding Operations** (CAFOs) with 1,000 or more animal units. The rule also outlines the procedures to be followed when a water quality problem arises from animal feeding operations with fewer than 1,000 animal units.

CAFO Requirements

CAFOs with 1,000 or more animal units are required to have a **Wisconsin Pollutant Discharge Elimination System (WPDES) permit***. If a CAFO does not have a WPDES permit, the owner/operator must contact the DNR. (A contact list is included with this brochure.)

New or expanding CAFOs should submit their permit application **at least 12 months** before reaching the 1,000 animal unit threshold. It is the legal responsibility of the owner/operator to contact the DNR and apply for a WPDES permit. Failure to apply for a WPDES permit could result in enforcement actions.

*Two (2) or more animal feeding operations under common ownership are considered to be a single operation if they are adjacent to each other *or* if they have a common area or system for the storage or landspreading of manure.

The Permit Process

It is essential that an operator contact the DNR early in the expansion planning process — prior to construction. This ensures:

- The DNR review of regulated structures is completed prior to construction.
- That permitting issues can be addressed as part of the planning process.
- That the WPDES permit is issued before the operation expands beyond 1,000 AUs.

All permit application materials are available from the DNR. A completed permit application will include the following information:






- General information about the operation.
- Information used to determine possible environmental impacts of the operation.
- Information on existing and proposed manure storage facilities and runoff control systems.
- A preliminary Manure Management Plan that provides detailed information on an operation's manure landspreading activities.

The goal: protecting Wisconsin's water quality through proper manure management.

Once an application is received, DNR staff review it and schedule a site visit to gather additional information about the operation. When a draft of an operation's permit is ready, a notice is placed in the operation's local newspaper notifying the public of the proposed permit and inviting comments. The CAFO owner/operator as well as the public may request an informational hearing on the permit.

After all comments are received and addressed, the permit may be issued. If the CAFO owner/operator or the public believes permit conditions are not appropriate, a formal adjudicatory hearing may be requested within 60 days. This formal hearing means a permit is being contested. Once all testimony has been given, an administrative judge issues a ruling regarding the contested permit conditions.

Once issued, annual permit fees similar to those paid by other industries with discharge permits will be assessed.

Animal Type	Number = 1,000 AU Approximation
Milking and Dry Cows 	710
Heifers (800-1,200 lbs.)	910
Heifers (400-800 lbs.)	1,670
Calves (up to 400 lbs.)	5,000
Beef Steers/Cows  (600 lbs. to market)	1,000
Pigs (55 lbs. to market) 	2,500
Pigs (up to 55 lbs.)	10,000
Turkeys 	55,000
Layers* 	100,000
Broilers*	200,000

*Numbers vary depending on management system.

Animal Units (AUs) are used to determine who must apply for a Wisconsin Pollutant Discharge Elimination System (WPDES) permit. All agricultural operations with 1,000 or more AUs must have a WPDES permit.

The number of animals that equals 1,000 AUs varies by size and type of animal. This chart provides an approximation of what constitutes 1,000 AUs.

To determine additional AU equivalencies for other animal types and sizes, refer specifically to NR 243 of the Wisconsin Administrative Code or consult with DNR staff.